

science, as follows: 'It is in a class of its own as a powerful Blood, Nerve and System Tonic and Blood Purifier.' 'It has a distinct action upon the bowels, kidneys and bladder.' 'It relieves Rheumatism, Neuritis and Back-aches. It creates Appetite and Aids Digestion'"; and (b) in that the following statements borne on the bottle labels were false and misleading, "A highly specialized preparation containing in addition to tonic and blood purifying herbs and roots, the most effective drugs known to medical science", since the essential physiologically active ingredients of the article were derived from sources other than herbs and roots.

It was charged that Dr. Ehrlich's Kidney and Bladder Medicine was misbranded in that the following statements on the bottle labels were false and fraudulent: "A highly specialized medicinal product, prepared with the utmost care and precision. Contains herbs and drugs of the highest purity, that will 'Purify, increase and regulate the flow of urine.' 'Strengthen the weakened muscles. Help eliminate the body poisons and thereby restore the kidneys and bladder, these two most important organs to their proper functions, and so bring back bodily health.'"

On September 24, 1935, no claimant having appeared, judgment of condemnation, forfeiture, and destruction was entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25113. Misbranding of Dr. Hubbel's Formula. U. S. v. 95 Bottles of Dr. Hubbel's Formula. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 35741. Sample no. 30146-B.)

Examination of this product showed that the statement on the bottle label of the quantity of choral hydrate and alcohol was incorrect, and that the article contained no ingredient or combination of ingredients capable of producing certain curative or therapeutic effects claimed on the carton and in a circular within the package.

On July 10, 1935, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 95 bottles of Dr. Hubbel's Formula at Albany, N. Y., alleging that the article had been shipped, on or about April 11, 1934, by Hubbel's Products Corporation, from Boston, Mass., to Albany, N. Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Chloral Hydrate 8 grs. to Fluid Oz. Alcohol 60%."

Analysis of a sample thereof showed that the article consisted essentially of alcohol (67 percent), chloral hydrate (13.3 grains per fluid ounce), water, and small proportions of phenols including creosote, sulphuric acid, and volatile oils including menthol and a green coloring material.

It was alleged in the libel that the article was misbranded (a) in that the statement on the bottle label, "Chloral Hydrate 8 grs. to Fluid Oz. Alcohol 60%", was false and misleading; and (b) in that the package failed to bear on its label a statement of the quantity or proportion of alcohol or chloral hydrate contained therein, in that no declaration regarding these ingredients appeared upon the carton, and the statements upon the bottle label, "Chloral Hydrate 8 grs. to Fluid Oz. Alcohol 60%", were incorrect and inconspicuous. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent: (Display carton) "For Loose Teeth For Toothache For Sore and Bleeding Gums * * * keeps your gums healthy"; (circular within carton) "Sore and chafed mouths . . . bleeding gums . . . gingivitis . . . and other infections of the gums and teeth are the inevitable result of the lack of proper care. In cases where an infection has located itself, either as an aggravated condition or simply in the early stages, Dr. Hubbel's Formula corrects the condition by strengthening the unhealthy or sensitive gums and causes a hardening or toughening of the gum tissues. Used as directed, it prevents the formation of spongy tissues and keeps the mouth generally in a more healthy condition. Dr. Hubbel's Formula is used by dentists in treating the most advanced stages of gum disorders and is prescribed by them for home treatment. It may be used freely without the slightest danger of injuring the most sensitive mouth. It's regular application will keep the gums in a normal healthy condition. * * * In some cases the gums peel slightly after the first application. Do not be concerned as this is only the old dead tissue. The second and subsequent applications will be perfectly normal. * * * Be regular in the use of Dr. Hubbel's Formula, as applying only now and then

will not bring you the relief you desire. In event of serious gum disorders we advise regular treatment by your dentist in conjunction with your home treatment. Dr. Hubbel's Formula for relief of Toothache. * * * Dr. Hubbel's Formula * * * will arrest bleeding."

On September 27, 1935, no claimant having appeared, judgment of condemnation, forfeiture, and destruction was entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25114. Misbranding of Wag's Salve. U. S. v. 35 Jars of Wag's Salve. Default decree of condemnation and destruction. (F. & D. no. 35743. Sample no. 35260-B.)

This case involved a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On July 8, 1935, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 35 jars of Wag's Salve at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about March 11, 1935, by Wag's, Inc., from Knoxville, Tenn., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of 4.7 percent of volatile oils, including methyl salicylate and menthol, incorporated in petrolatum.

The article was alleged to be misbranded in that the following statements appearing in the labeling, regarding its curative and therapeutic effects, were false and fraudulent: "Croup * * * Catarrh, Pneumonia, Tonsillitis, Etc. * * * To produce something that would go direct to administer medicine through the skin * * * Wag's Salve not only penetrates (is absorbed by) the skin, but protects it. This double use guards against fresh colds and new ailments while getting rid of the cold. Croupy Coughs Parents are often frightened by the croupy coughs that frequently come on at night. Quick relief can usually be obtained by rubbing Wag's vigorously on throat and chest with the open hand until the difficult breathing is relieved * * * Night attacks can usually be prevented by rubbing Wag's on the throat and chest at bedtime and covering with warm flannel. Leave the nightdress loose around the neck so that the vapors arising from the application on the chest may be freely inhaled. Colds in the Chest If a cold has been neglected and has gone down in the chest, take a laxative, followed by a hot foot bath. Thorly (sic) redden the skin over the throat and chest with hot, wet towels, then massage with Wag's for five minutes, spread on thickly (about one-sixteenth of an inch thick) and cover with two thicknesses of hot flannel cloths. Leave the bed clothing loose around the neck so the vapors may be freely inhaled. If the air passages are clogged with mucus or phlegm, making the breathing difficult, use some Wag's Salve and inhale vapors until relieved * * * Sore Feet * * * For * * * aching feet, broken skin * * * rub well with Wag's night and morning."

On August 29, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25115. Adulteration of Epsom Compound Tablets. U. S. v. 99,200 Tablets. Default decree of condemnation and destruction. (F. & D. no. 35744. Sample no. 30399-B.)

This case involved a product sold as "Epsom Compound Tablets." Examination showed that its principal active cathartic agents were phenolphthalein, a synthetic coal-tar drug, and a laxative plant drug such as aloe, the amount of Epsom salt present in each tablet being too small to have any appreciable cathartic effect.

On July 9, 1935, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 99,200 tablets at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 2, 1935, by the Shores Co., from Cedar Rapids, Iowa, and charging adulteration in violation of the Food and Drugs Act. The article was shipped in drums labeled in part, "Rx #4146 Tablets." Attached to the invoice was a sticker reading in part, "Rx #4146 Tablets * * * Epsom Comp. Tablets."

Analysis showed that the tablets each contained phenolphthalein (0.86 grain), a laxative plant drug such as aloe, magnesium sulphate (Epsom salts, 2.06 grains), and sugar.